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8 Class Counsel

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10 UNITED STATES DISTRICT COURT  
11 SOUTHERN DISTRICT OF CALIFORNIA  
12

13 IN RE Groupon MARKETING AND )  
SALES PRACTICES LITIGATION )  
14 \_\_\_\_\_ )

No. 3:11-md-02238-DMS-RBB

DECLARATION OF JOHN J. STOIA, JR. IN  
SUPPORT OF JOINT RESPONSE TO  
FINAL APPROVAL OF CLASS ACTION  
SETTLEMENT

1 I, John J. Stoia, Jr., hereby declare as follows:

2 1. I, John J. Stoia, Jr., am an attorney duly licensed to practice before all the courts of  
3 the State of California and the Southern District of California. I serve as of counsel to the law firm  
4 of Robbins Geller Rudman & Dowd LLP (“Robbins Geller” or “Class Counsel”). I submit this  
5 declaration in support of the parties’ Joint Response to Objections to Final Approval of Class Action  
6 Settlement. I have personal knowledge of the matters stated herein and, if called upon, could and  
7 would competently testify thereto.

8 2. In response to the Notices of Settlement disseminated to millions of Class Members,  
9 only 18 separate objections were filed with the Court on behalf of 25 objectors. Plaintiffs received  
10 an additional 10 pro per objections that were not filed with the Court.

11 3. On July 2, 2012, Paul Hansmeier (“Hansmeier”) sent me an email attaching a draft  
12 objection to the Settlement on behalf of his client Padraigin Browne (“Browne”). Hansmeier  
13 represented that he was a Member of Alpha Law Firm LLC in Minneapolis, Minnesota. On July 6,  
14 2012, attorney Brett L. Gibbs (“Gibbs”) filed an objection on behalf of objector Browne. Gibbs did  
15 not represent that he was associated with any law firm in connection with the objection that he filed  
16 on behalf of Browne.

17 4. As part of the parties’ hard fought, arms-length settlement negotiations, Plaintiffs  
18 were successful in negotiating valuable injunctive relief (in addition to monetary relief) for Class  
19 Members. This relief requires Groupon to make certain changes to the appearance, disclosures and  
20 content of Groupon Vouchers, to avoid potential misunderstanding by consumers in the future.  
21 Importantly, these requirements were not in effect before these lawsuits were brought.

22 5. Of the estimated number of Class Members likely to receive Settlement Vouchers in  
23 connection with the Settlement, I believe the majority are likely to be able to redeem their Settlement  
24 Vouchers as most Merchant Partners remain in business and are expected to honor the Settlement  
25 Vouchers.

26 6. To my knowledge, my firm has never represented Electronic Frontiers Freedom  
27 (“EFF”) as a client. I understand from my colleagues that it was once a co-counsel in a case against  
28 AT&T that was dismissed. My firm is a premier national Plaintiffs’ firm with many connections to

1 different advocacy organizations. EFF was not selected because of any relationship with my firm,  
2 but because of the fit between the excellent work that EFF does on behalf of protecting and  
3 advocating consumers' rights on the Internet and to prevent them from being duped on the Internet.  
4 Thus, it was selected based on its qualifications as a *cy pres* organization.

5 7. Class Counsel and counsel for Defendants worked diligently to design an efficient,  
6 streamlined and effective Claims process, and retained a highly-experienced claims administrator,  
7 Rust Consulting, to administer the claims in the Settlement.

8 8. Attached hereto as Exhibit A is a true and correct copy of *In re: Reebok Easytone*  
9 *Litig.*, No. 3:12-MC-00001-L(BF) (Dkt. No. 4) (N.D. Tex).

10 9. Attached hereto as Exhibit B is a true and correct copy of *Poss v. 21st Century Ins.*  
11 *Co.*, No. BC297438 (L.A. Super. Ct. Apr. 25, 2011), hearing transcript.

12 10. Attached hereto as Exhibit C is a true and correct copy of *In re Magsafe Apple Power*  
13 *Adapter Litig.*, No. C 09-01911 JW (Dkt. No. 98) (N.D. Cal).

14 11. Attached hereto as Exhibit D is a true and correct copy of *True v. Am. Honda Motor*  
15 *Co., Inc.*, No. ED 07-cv-287 VAP-OP, Plaintiffs' Consolidated Response to Objections to Settlement  
16 Agreement (filed Feb. 22, 2010).

17 I declare under penalty of perjury under the laws of the United States of America that the  
18 foregoing is true and correct. Executed this 24th day of August, 2012, at San Diego, California.

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s/ John J. Stoia, Jr.  
JOHN J. STOIA, JR.  
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CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2012, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 24, 2012.

s/ John J. Stoia, Jr.  
JOHN J. STOIA, JR.

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